

AMENDED IN ASSEMBLY APRIL 27, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1995**

**Introduced by Assembly Member Leach**  
(Coauthor: Senator Rainey)

February 18, 1998

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~~An act to add Section 17410.5 to the Education Code, relating to school taxes. An act to amend Section 17050 of, and to add Section 17049.5 to, the Education Code, relating to library services.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1995, as amended, Leach. ~~Taxes: school facilities; elections~~ *School libraries: joint-use agreements.*

*Existing law authorizes a district to enter into a contract with the county, or other appropriate entity having responsibility for the provision of public library services in which the district is located for the purpose of operating a joint-use library facility at a schoolsite owned by the district.*

*This bill would permit the joint-use contract to be for a joint-use library at a site owned by the county or other appropriate entity having responsibility for the provision of public library services in that area, and would declare that it is in the interest of the state to authorize a school district to enter into such a joint-use arrangement.*

~~Existing law authorizes the governing board of a school district to call an election to use a previously authorized tax~~

~~increase for the purchase or lease by the school district of a building.~~

~~This bill would allow a school district to renew by a  $\frac{2}{3}$  vote of the voters voting on the proposition a tax rate increase authorized by the voters prior to January 1, 1998, in an amount not to exceed the amount previously authorized for an additional term not to exceed 25 years for specified expenditure purposes.~~

~~Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1   ~~SECTION 1. The Legislature finds and declares that~~  
2   ~~SECTION 1. Section 17049.5 is added to the~~  
3   ~~Education Code, to read:~~  
4   ~~17049.5. It is in the interest of the state to authorize a~~  
5   ~~school district to enter into a joint-use arrangement with~~  
6   ~~another public entity for operation of a joint-use library~~  
7   ~~facility located on land owned by the school district or by~~  
8   ~~the another public agency.~~  
9   ~~SEC. 2. Section 17050 of the Education Code is~~  
10   ~~amended to read:~~  
11   ~~17050. (a) A district may enter into a contract with~~  
12   ~~the county, or other appropriate entity having~~  
13   ~~responsibility for the provision of public library services,~~  
14   ~~in which the district is located for the purpose of~~  
15   ~~operating a joint-use library facility at a schoolsite owned~~  
16   ~~by the district, or at a site owned by the county or other~~  
17   ~~appropriate entity having responsibility for the provision~~  
18   ~~of public library services in that area.~~  
19   ~~(b) The district may apply for the lease-purchase of a~~  
20   ~~project which includes a library facility, pursuant to~~  
21   ~~Section 17017, which facility, if constructed, would be of~~  
22   ~~sufficient size to accommodate the requirements of a~~  
23   ~~joint-use library for which the district has entered into a~~  
24   ~~contract, pursuant to subdivision (a).~~  
25   ~~(c) Should the board receive an application for a~~  
26   ~~project which includes space for a joint-use library, the~~  
27   ~~board shall evaluate the application disregarding any~~

1 space in the proposed library facility which is beyond the  
2 needs of the district, provided the application contains a  
3 copy of the contract specified in subdivision (a), and  
4 provided that the contract contains at least the following:

5 (1) Agreement that the county or other appropriate  
6 entity shall deposit in the county school lease-purchase  
7 fund, created pursuant to Section 17034, an amount equal  
8 to the total cost of any space in the proposed library  
9 facility which is beyond the needs of the district, prior to  
10 the signing of the construction contract for the project.  
11 The deposit shall not be refundable, except to the extent  
12 that it may prove subsequently to be in excess of the  
13 actual total cost of the space which is beyond the needs  
14 of the district.

15 (2) Agreement between the district and the county or  
16 other appropriate entity regarding staffing,  
17 maintenance, materials acquisition, and other matters  
18 related to the administration and operating costs of the  
19 joint-use facility.

20 (3) Agreement between the district and the county or  
21 other appropriate entity regarding the procedure for  
22 amendment or termination of the contract, including the  
23 disposition of materials housed in the joint-use facility  
24 should termination of the contract occur.

25 (d) Any space in a joint-use library which is beyond the  
26 needs of the district shall not be included by the board in  
27 any calculations made for any other purposes provided  
28 for in this article for the period of time that the contract  
29 for that joint-use facility remains in effect. Should the  
30 contract be terminated, the board shall include the  
31 additional space in any calculations made after the  
32 termination for any other purposes provided for in this  
33 article.

34 ~~it is in the interest of the state to authorize school districts~~  
35 ~~to raise local revenues for the preparation of plans, and~~  
36 ~~the purchase, lease, construction, or remodeling of school~~  
37 ~~facilities and public joint use facilities.~~

38 ~~SEC. 2. Section 17410.5 is added to the Education~~  
39 ~~Code, to read:~~

~~17410.5. If, at an election held prior to January 1, 1998, pursuant to Section 17409, or any predecessor to that section, a school district received voter approval to prepare plans and specifications and acquire through lease or purchase buildings to be constructed or remodeled for use by the district and to increase the tax rate of the district in an amount approved by voters, the district may renew that tax rate authorization as follows:~~

~~(a) The governing board of the school district shall call, hold, and conduct an election in a manner provided by law except that the ballot used in the election shall contain substantially the words: "Shall the governing board of the \_\_\_\_\_ District renew the tax rate increase authorized on [the date of the original election] for a term not to exceed 25 years for the purpose of purchasing a site or sites, preparing plans and specifications, constructing, leasing, remodeling, landscaping, or equipping school facilities and appropriate public joint use facilities within the district?"~~

~~(b) The tax rate authorized pursuant to subdivision (a) may not exceed the tax rate approved by the voters in the original measure authorized by voters prior to January 1, 1998.~~

~~(c) If, at an election held pursuant to this section, two-thirds of the voters voting on the proposition vote "yes," the governing board of the school district may continue to levy the tax rate authorized prior to January 1, 1998, and to use the authorized tax solely for the purposes authorized pursuant to this section.~~